

JC95N U.S. PTO
02/21/02

Please type a plus sign (+) inside this box

02-22-02 10080299 .022102 A

PTO/SB/05 (03-01)
Approved for use through 10/31/2002 GMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 106] 106
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed Sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 7] 7
- Oath or Declaration [Total Pages]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d)) (continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
- Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: 09/930,915

Prior application information Examiner _____
For CORRESPONDENCE OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Customer No. or Attach bar code label here)				<input type="checkbox"/> or <input checked="" type="checkbox"/> Correspondence address below
Name	Edward P. Gamson, Esq. WELSH & KATZ, LTD.				
Address	120 South Riverside Plaza 22nd Floor				
City	Chicago	State	Illinois	Zip Code	60606
Country	USA	Telephone	(312) 655-1500	Fax	(312) 655-1501

Name (Print/Type) Edward P. Gamson

Signature 

Registration No. (Attorney/Agent) 29,381

Date 02/21/02

Burden Hour Statement This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Ashley J. Birkett

Docket No.

ICC-127.0 (84273)

Serial No.
New ApplicationFiling Date
February 21, 2002Examiner
UnknownGroup Art Unit
Unknown

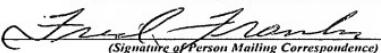
Invention: INFLUENZA IMMUNOGEN AND VACCINE

I hereby certify that this Appln and Fee Transmittal Forms, Patent Appln and its stated enclosures and fee
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on February 21, 2002
(Date)

Fred Franks*(Typed or Printed Name of Person Mailing Correspondence)*


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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	TOTAL AMOUNT OF PAYMENT	\$487.00
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Complete if Known

Application Number	Unknown
Filing Date	February 21, 2002
First Named Inventor	Ashley J. Birkett
Examiner Name	Unknown
Group Art Unit	Unknown
Attorney Docket No.	(84273) ICC-127.0 US

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account

Deposit Account Number	23-0920
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Deposit Account Name	Welsh & Katz, Ltd.
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The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee		370.00
106 330	201 165	Design filing fee		
107 510	207 255	Plant filing fee		
108 740	208 370	Reissue filing fee		
114 160	214 80	Provisional filing fee		
SUBTOTAL (1)				\$370.00

2. EXTRA CLAIM FEES FOR UTILITY AND

Fee from below			
Extra Claims			
Total Claims	33 - 20** =	13 X 9.00 =	117.00
Independent Claims	3 - 3** =	0 X 42.00 =	0.00
Multiple Dependents			
SUBTOTAL (2)			

\$117.00

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES
Large Entity Small Entity

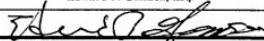
Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65		Surcharge - late filing fee or oath	
127 50	227 25		Surcharge - late provisional filing fee or cover sheet	
130 130	130 130		Non - English specification	
147 2,520	147 2,520		Filing a request for ex parte reexamination	
112 920*	112 920*		Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*		Requesting publication of SIR after Examiner action	
115 110	215 55		Extension for reply within first month	
116 400	216 200		Extension for reply within second month	
117 920	217 460		Extension for reply within third month	
118 1,440	218 720		Extension for reply within fourth month	
128 1,960	228 980		Extension for reply within fifth month	
119 320	219 160		Notice of Appeal	
120 320	220 160		Filing a brief in support of an appeal	
121 280	221 140		Request for oral hearing	
138 1,510	138 1,510		Petition to institute a public use proceeding	
140 110	240 55		Petition to revive - unavoidable	
141 1,280	241 640		Petition to revive - unintentional	
142 1,280	242 640		Utility issue fee (or reissue)	
143 460	243 230		Design issue fee	
144 620	244 310		Plant issue fee	
122 130	122 130		Petitions to the Commissioner	
123 50	123 50		Processing fee under 37 CFR § 1.17(q)	
126 180	126 180		Submission of Information Disclosure Statement	
581 40	581 40		Recording each patent assignment per property (times number of properties)	
146 740	246 370		Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370		For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370		Request for Continued Examination (RCE)	
169 900	169 900		Request for expedited examination of a design application	
Other fee (specify)				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Print/Type)	Edward P. Gamsen, Esq.	Registration No. (Attorney/Agent)	29,381	Telephone	(312) 655-1500
Signature				Date	February 21, 2002

Complete (if applicable)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ashley J. Birkett)	
)	Attorney Docket:
Serial No.:	Not yet assigned)	
)	ICC-127.0
Filing Date:	February 21, 2002)	(4564/84273)
)	
For:	INFLUENZA IMMUNOGEN AND VACCINE)	Group Art Unit:
)	Unknown
Examiner:	Not yet assigned)	

STATEMENT UNDER 37 CFR § 1.821(f)

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

I hereby state that the enclosed computer readable form of the Sequence Listing (file: ICC127prj.ST25.txt in ASCII format copied onto the accompanying diskette from PatentIn Ver. 3.1 on this date) and the paper copy of the Sequence Listing (pages 1 through 25) forming a part of the disclosure of the invention filed herewith on this day are identical.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

New CIP Patent Application -2-
Ashley J. Birkett

18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By 
Edward P. Gamson, Reg. No. 29,381

Enclosures

Computer Readable Disk and Sequence List
Patent Application and Fee
Unexecuted Declaration and Power of Attorney
Transmittal Letter
Application Data Sheet
Fee Sheet

WELSH & KATZ, LTD.
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
Phone (312) 655-1500
Fax No. (312) 655-1501

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this Statement, together with a Computer readable disk, Transmittal Letter and its stated enclosures and Patent Application and Fee, are being deposited with the United States Postal Service as Express Mail Label No. EL854692726US, postage prepaid, in an envelope addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on February 21, 2002.

